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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,209	07/18/2003	James Robert Harold Challenger	YOR920030148US1 (163-4)	4011
24336	7590	12/14/2005	EXAMINER	
KEUSEY, TUTUNJIAN & BITETTO, P.C. 14 VANDERVENTER AVENUE, SUITE 128 PORT WASHINGTON, NY 11050			THAI, TUAN V	
			ART UNIT	PAPER NUMBER
			2186	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Part III DETAILED ACTION

NOTIFICATION OF OBJECTION AND/OR REJECTIONS

Election of Species/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-29, drawn to a method and apparatus for constructing data object in a network environment utilizing a cache by including a fragment in an incomplete version of the object, classified in Class 711, subclass 118.

Group II. Claims 30-32, drawn to a method for determining whether a set of inclusion relationships includes a cycle in a system having a plurality of fragments in loop utilizing a graph traversal techniques, classified in Class 703, subclass 1.

The inventions are distinct, each from the other for the following reasons:

The invention of groups I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the invention of group I has separate utility such as a method of serving data in a client/server environment utilizing fragment caching within a network wherein at least one local computer provides a user interface and performs local data processing to interact with at least one remote computer which implements data

processing within a generic time-sharing environment in response to the local computer to transfer data between the local computer and the remote computer, and is not limited for use with a method for determining whether a set of inclusion relationships includes a cycle in a system having a plurality of in-loop fragments utilizing a graph traversal techniques of group II. Similarly, the invention of group II can be used as a data manipulation mechanism in a generic data processing system to determine the relationship amongst different data sets and is not restricted for use with the method for constructing data object in a network environment utilizing a cache by including a fragment in an incomplete version of the object of group I. See M.P.E.P. § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and recognized divergent subject matter, and because the search required for one group is not coextensive with the search required for the other groups, restriction for examination purposes as indicated is proper.

2. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in

compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

Conclusion

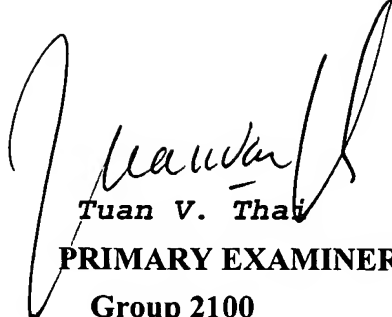
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is (571)-272-4187. The examiner can normally be reached on from 6:30 A.M. to 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew M. Kim can be reached on (571)-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TVT/December 02, 2005



Tuan V. Thai
PRIMARY EXAMINER
Group 2100